

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 RAYMOND JACKSON,

4 Plaintiff

Case No. 3:20-cv-00009-GMN-CLB

ORDER

5 v.

6 PHILSON, *et al.*,

7 Defendants
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections
11 (“NDOC”), has filed a Notice of Intent 42 U.S.C. § 1983 civil rights complaint. (ECF No.
12 1-1.). Plaintiff has not filed a complaint or an application to proceed *in forma pauperis* in
13 this matter.

14 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a
15 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30)
16 days from the date of this order to submit a complaint to this Court.

17 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
18 application to proceed *in forma pauperis* and attach both an inmate account statement
19 for the past six months and a properly executed financial certificate. Plaintiff will be
20 granted an opportunity to file an application to proceed *in forma pauperis*, or in the
21 alternative, pay the full \$400 filing fee for this action. If Plaintiff chooses to file an
22 application to proceed *in forma pauperis* he must file a fully complete application to
23 proceed *in forma pauperis* and attach both an inmate account statement for the past six
24 months and a properly executed financial certificate.

25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND
27 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well
28 as the document entitled information and instructions for filing an *in forma pauperis*

1 application.

2 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
3 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on
4 the correct form with complete financial attachments, including an inmate account
5 statement for the past six months and a properly executed financial certificate, in
6 compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action
7 (which includes the \$350 filing fee and the \$50 administrative fee).

8 IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within
9 **thirty (30) days** from the date of this order.

10 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the
11 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The
12 Clerk of the Court will also send Plaintiff a copy of his Notice of Intent 42 U.S.C. § 1983
13 civil rights complaint. (ECF No. 1-1).

14 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
15 dismissal of this action may result.

16 DATED: January 8, 2020.

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19 UNITED STATES MAGISTRATE JUDGE
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